

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chairman Joe Balyeat, on February 3, 2009 at 10 A.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Joe Balyeat, Chairman (R)
Sen. Verdell Jackson, Vice Chairman (R)
Sen. Gregory D. Barkus (R)
Sen. Roy Brown (R)
Sen. Jim Keane (D)
Sen. Carolyn Squires (D)
Sen. Donald J. Steinbeisser (R)
Sen. Sharon Stewart-Peregoy (D)
Sen. Joseph (Joe) Tropila (D)
Sen. Jonathan Windy Boy (D)

Members Excused: Sen. Jim Peterson (R)

Members Absent: None.

Staff Present: Linda Keim, Committee Secretary
Pat Murdo, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 295, SB 308, 1/28/2009

Executive Action: SB 242, SJ 16, and SB 142:
Discussion only

HEARING ON SB 308

Opening Statement by Sponsor:

00:01:23 Sen. Jim Keane (D), SD 38, opened the hearing on SB 308, Revise calculation of standard prevailing wage rates.

Proponents' Testimony:

00:04:09 Steve Wade, Montana Contractors Association

00:05:56 Bob Nommenson, CFO, Treasurer, Sletten Construction

[EXHIBIT](#) (bus25a01)

00:09:01 J. D. Lynch, Montana State Building Trade Unions

00:09:27 Cynthia Johnson, Past President, Montana Association of Counties (MACo)

00:10:01 Carl Schweitzer, Montana Sub-Contractors Association

00:11:01 Margaret Morgan, Greater Montana Independent Electrical Contractors

00:11:44 Keith Allen, International Brotherhood of Electrical Workers, Local #233

00:12:11 Jerry Keck, Administrator, Employee Relations Division, Department of Labor and Industry (DOLI)

Opponents' Testimony: None

Informational Testimony:

00:13:00 Russ Katherman, Architecture and Engineering Division, Department of Administration (DOA)

Questions from Committee Members and Responses:

00:13:24 Sen. Tropila

00:13:31 Sen. Keane

00:13:46 Sen. Squires

00:15:55 Sen. Keane

00:16:13 Chairman Balyeat

00:29:49 Jerry Keck

00:29:59 Sen. Squires

00:32:21 Bob Nommenson

00:34:11 Sen. Squires

00:34:30 J. D. Lynch

00:35:03 Chairman Balyeat

00:36:29 Mr. Nommenson

Closing by Sponsor:

00:38:06 Sen. Keane

HEARING ON SB 295

Opening Statement by Sponsor:

00:41:13 Sen. Jim Keane (D), SD 38, opened the hearing on SB 295, Allow legislators to retire from public employment while serving in the Legislature.

EXHIBIT(bus25a02)

Proponents' Testimony: None

Opponents' Testimony:

00:46:36 Roxanne Minnehan, Executive Director, Montana Public Employment Division

Informational Testimony: None

Questions from Committee Members and Responses:

00:53:04 Sen. Barkus
00:56:17 Sen. Keane
00:57:07 Sen. Squires
01:00:40 Kim Flatow, Public Employees Retirement System (PERS)
01:01:15 Chairman Balyeat
01:02:02 Sen. Jackson
01:03:33 Roxanne Minnehan
01:03:54 Chairman Balyeat
01:04:52 Roxanne Minnehan
01:05:00 Chairman Balyeat
01:07:17 Kim Flatow
01:07:27 Chairman Balyeat
01:10:07 Roxanne Minnehan
01:10:26 Sen. Tropila
01:10:40 Roxanne Minnehan
01:10:56 Sen. Tropila
01:10:59 Kim Flatow

Closing by Sponsor:

01:11:51 Sen. Keane

01:13:39 Chairman Balyeat

EXECUTIVE ACTION ON SB 242

01:15:41 **Motion:** Chairman Balyeat moved **SB 242 DO PASS.**

01:16:08 **Motion:** Chairman Balyeat moved **TO AMEND.**

EXHIBIT(bus25a03)

Discussion:

01:18:47 Sen. Keane

01:18:49 Sen. Steinbeisser

01:19:05 Chairman Balyeat

01:20:03 Pat Murdo, Legislative Fiscal Division

01:20:41 Chairman Balyeat

01:21:19 Sen. Keane

01:21:45 Sen. Squires

01:22:03 Chairman Balyeat

01:22:18 Sen. Squires

01:22:59 Chairman Balyeat

01:23:11 **Vote:** Motion carried by 6-5 roll call vote. Sen. Keane, Sen. Squires, Sen. Stewart-Peregoy, Sen. Tropila, and Sen. Windy Boy voted no. Sen. Barkus, Sen. Peterson, and Sen. Windy Boy voted by proxy.

01:24:31 **Motion:** Chairman Balyeat moved **SB 242 DO PASS AS AMENDED.**

01:24:43 **Vote:** Motion carried by 6-5 roll call vote. Sen. Keane, Sen. Squires, Sen. Stewart-Peregoy, Sen. Tropila, and Sen. Windy Boy voted no. Sen. Barkus, Sen. Peterson, and Sen. Windy Boy voted by proxy.

EXECUTIVE ACTION ON SJ 16

01:26:09 **Motion:** Sen. Brown moved **SJ 16 DO PASS.**

01:26:34 **Motion:** Sen. Keane moved **TO AMEND.**

EXHIBIT(bus25a04)

Discussion:

01:27:51 Sen. Squires

01:28:02 Sen. Keane

01:28:09 **Vote:** Motion carried unanimously 11-0 by voice vote. Sen. Barkus, Sen. Peterson, and Sen. Windy Boy voted by proxy.

01:28:15 Sen. Barkus arrived.

01:28:33 **Motion/Vote:** Sen. Brown moved **SJ 16 DO PASS AS AMENDED.** Motion carried 10-1 by voice vote. Sen. Balyeat voted no. Sen. Peterson and Sen. Windy Boy voted by proxy.

EXECUTIVE ACTION ON SB 142

01:29:40 **Motion:** Sen. Barkus moved **SB 142 DO PASS.**

[EXHIBIT](#)(bus25a05)

[EXHIBIT](#)(bus25a06)

Discussion:

01:30:14 Sen. Brown

01:30:41 Pat Murdo

01:31:32 Sen. Squires

01:32:22 Chairman Balyeat

01:33:54 Sen. Squires

01:34:06 Chairman Balyeat

01:34:19 Sen. Squires

01:35:02 Sen. Keanes

01:35:45 Sen. Barkus withdrew the motion.

01:36:01 Chairman Balyeat

ADJOURNMENT

Adjournment: 11:40 A.M.

Linda Keim, Secretary

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Additional Documents:

EXHIBIT ([bus25aad.pdf](#))